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7 Attorneys for Defendant  
HOME DEPOT U.S.A., INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

**12** PAUL PARTON, individually,

13 || Plaintiff,

14

15 HOME DEPOT U.S.A., INC., a foreign  
16 corporation; DOES 1 through 10; and ROE  
ENTITIES 11 through 20, inclusive jointly  
and severally.

Defendants.

Case No. 2:20-cv-01404 JCM-EJY

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER IN  
COMPLIANCE WITH LR 26-1(b) TO  
EXTEND EXPERT DISCLOSURE  
DEADLINES  
(second request)**

Plaintiff PAUL PARTON and Defendant HOME DEPOT U.S.A., INC. (“Home Depot”) by and through their attorneys of record hereby jointly stipulate and respectfully request this Honorable Court order a continuance of the discovery deadlines for 90 days pursuant to FRCP 26 and Local Rule 26-1.

1. Discovery completed: To date, the Parties have exchanged Initial Disclosures, written discovery, conducted the deposition, and the IME of the Plaintiff. The Parties have been working diligently to review Plaintiff's medical records which are very voluminous and given Plaintiff's ongoing treatment additional time is need to obtain additional medical records from 9 facilities;

2. **Discovery remaining to be completed:** The Parties intend to engage in informal

1 settlement negotiations, summarize the additional medical records upon receipt and, if unable to  
 2 resolve, depose Plaintiff's numerous medical treatment providers and conduct the depositions of the  
 3 a person most knowledgeable of the Home Depot. Finally, Plaintiff has requested a site inspection of  
 4 the subject premises.

5       3.     Description of why remaining discovery has not been completed within the time  
 6 limits previously set by the Court: The Parties have good cause for the 90 day extension of the  
 7 discovery deadlines because the medical records in this case are incredibly voluminous. Plaintiff  
 8 alleges over \$735,000 in past medical damages, is anticipated to have a third spinal surgery, and has  
 9 an extensive pre-existing medical history. Therefore, an additional extension of time is needed to  
 10 assess the medical condition of the Plaintiff and afford the Parties additional time to engage in  
 11 informal settlement negotiations and/or mediation.

12       4.     Proposed schedule for completing all remaining discovery: Based on the foregoing,  
 13 the Parties respectfully request that the Court grant their joint request to extend the expert discovery  
 14 deadlines, as follows:

	Current Dates	Proposed Dates
16 Amend the Pleadings	1/25/2021	4/26/2021
17 Last day to make initial expert disclosures	3/1/2021	5/31/2021
18 Last day to make rebuttal expert disclosures	3/29/2021	6/28/2021
19 Discovery Cut-Off	4/26/2021	7/26/2021
20 Dispositive Motions	5/25/2021	8/23/2021
21 Pretrial Order	6/24/2021	9/22/2021

22       Pursuant to Local Rule 26-4, this Stipulation was agreed only recently when additional  
 23 medical treatment was disclosed and this Stipulation is being filed as soon as practicable after the  
 24 Stipulation.

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1 **IT IS SO STIPULATED.**

2 DATED: February 26, 2021

3 DAVID BOEHRER LAW FIRM

4 By /s/ Travis J. Rich  
5 TRAVIS J. RICH  
6 Attorneys for Plaintiff  
PAUL PARTON

7 DATED: February 26, 2021

8 BURNHAM BROWN

9

10 By /s/ Lynn V. Rivera  
LYNN V. RIVERA  
11 Attorneys for Defendant  
HOME DEPOT U.S.A., INC.

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13 **[PROPOSED] ORDER**

14 Upon consideration of the Parties' Stipulation and having found good cause exists, the  
15 Court rules as follows: the parties' request to continue the expert discovery deadlines by 90  
16 days, with proposed dates set forth above, is granted.

17 IT IS SO ORDERED.

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19 DATE: February 26, 2021

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UNITED STATES MAGISTRATE JUDGE

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